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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,289	06/24/2003	Heinrich Hofmann	P/22-230	3250

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NEW YORK, NY 100368403

EXAMINER

RODRIGUEZ, PAMELA

ART UNIT	PAPER NUMBER
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3683

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/31/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/603,289	Applicant(s) HOFMANN ET AL.	
	Examiner Pam Rodriguez	Art Unit 3683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5 is/are allowed.
- 6) ☒ Claim(s) 2-4, 6 and 7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The Amendment filed November 13, 2006 has been received and considered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 2-4, 6, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,927,820 to Vignotto et al.

Regarding Claim 7, Vignotto et al disclose a connection between a wheel bearing 3 and a wheel carrier 4 (see Figure 2) having all the features of the instant invention including: connecting elements 37 only connecting the wheel carrier 4 and a fixed part 13 of the wheel bearing (see Figure 2 and column 2 lines 50-55), and at least one projection 26 integrated with at least the fixed part 13 of the wheel bearing 3 (see Figure 2), transmitting to the wheel carrier 4 a torque acting in the fixed part 13 of the wheel during braking (at least to some extent), projection 26 having a hole 36/37 therethrough (see column 2 lines 46-55), wherein the fixed part 13 of the wheel bearing 3 is structured to couple to a brake caliper 31 (at ears 30, see column 2 lines 37-45).

Regarding Claim 2, projection 26 is formed around connecting element 37 as shown in Figure 2.

Regarding Claim 3, see bolt 38.

Regarding Claim 4, see threaded section 36 which receives bolt 38.

Regarding Claim 6, the fixed part 13 of the wheel bearing 3 comprises a flange (see Figure 2).

Allowable Subject Matter

4. Claim 5 is allowed.

Response to Arguments

5. Applicant's arguments filed November 13, 2006 have been fully considered but they are not persuasive.

Firstly applicant argues that projection of the Vignotto et al reference is not integrated with the fixed part of the wheel bearing. More specifically, applicant contends that applied projection element 26 is not integral with the fixed flange 13 of the reference.

In response to this, applicant's attention is directed to column 2 lines 50-54 of Vignotto, which describes how element 26 and flange 13 are integral with each other due to their pin 38 connection. So while element 26 is secured/added to flange 13 by a pin 38, this pin connection couples elements 26 and 13 together into a one-piece structure and thus the components are integral with one another.

Also, note that applicant has not claimed that the projection and the fixed part of the wheel bearing be integral components but rather that the two parts merely be

integrated, which has a separate meaning entirely. Note, also, Figure 3 of Vignotto, which shows how element 26 and flange 13 can be made integral in another manner using notches.

And secondly applicant argues that the applied element 26 of Vignotto does not have a hole formed therethrough.

In response to this, the examiner recognizes that element 26 has a groove 36 that together with a corresponding groove 35 in flange 13 form a hole 37 for the insertion of pin 38. However, applicant merely claims that a hole be made through/in the projection and a groove is certainly a type of hole formed through an element and thus this claim limitation is still met.

It is for these reasons that the rejections of Claims 2-4, and 7 have been maintained.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

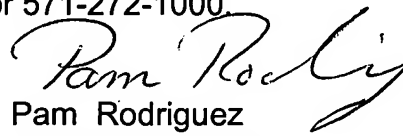
Art Unit: 3683

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pam Rodriguez whose telephone number is 571-272-7122. The examiner can normally be reached on Mondays 5:30 AM -4 PM and Tuesdays 5 AM -11 AM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim McClellan can be reached on 571-272-6786. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Pam Rodriguez
Primary Examiner
Art Unit 3683
1/30/07

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